

Message Text

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C O N F I D E N T I A L STATE 179533

E.O. 11652: GDS

SUBJECT: CSCE: FRENCH DRAFT ON PRINCIPLES OF RELATIONS

AMONG STATES

TAGS: PFOR

REFS: (A) NATO 4218; (B) STATE 146620; (C) STATE 164556;

(D) STATE 163110

1. FRENCH DRAFT CIRCULATED SEPTEMBER 6 AS REPORTED REF A
DOES NOT MEET ANY OF ESSENTIAL US CONCERNS SET FORTH REFS
B AND C.

2. THESE CONCERNS REMAIN AS FOLLOWS:

(A) FRENCH OPERATIVE PARA 1 ON SOVEREIGN EQUALITY
CONTINUES TO ELABORATE UNNECESSARILY ON THE PRINCIPLE OF
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SOVEREIGN EQUALITY. THOUGH BONN GROUP AGREEMENT THAT A

DISCLAIMER ON FOUR POWER RIGHTS MAY BE ISSUED BY THE WESTERN ALLIES DURING STAGE II (BONN 12837) WILL BE USEFUL, MISSION SHOULD CONTINUE TO ACHIEVE WORD CHANGES AS DESCRIBED REF D, SINCE PRESENT FRENCH FORMULATION WILL UNDERCUT AND WEAKEN IMPACT OF THE DISCLAIMER.

(B) TITLE SHOULD REFER TO PRINCIPLES "GUIDING" RELATIONS AS IN THE FINAL MANDATE. THE WORD "GOVERNING" IMPLIES A BINDING LEGAL DOCUMENT.

(C) THOUGH IN MANY RESPECTS FRENCH DRAFT IS STRONGER THAN ALLIANCE DRAFT ON BREZHNEV DOCTRINE, PREAMBULAR PARA 7 STILL DOES NOT EXPRESS THE ESSENTIAL CONCEPT DESCRIBED PARA B REF B THAT ASSOCIATION WITH OTHER STATES IN A COMMON SYSTEM CANNOT BE USED AS AN EXCUSE TO DENY APPLICATION OF THE PRINCIPLES TO OTHER STATES. FRENCH MODIFICATION TO PARA 12 REPORTED PARA 2(D) OF REF A IS NOT HELPFUL IN MEETING THIS POINT.

(D) FRENCH FORMULATION ON NON-INTERVENTION IN PARA 6 CONTINUES TO CAUSE US PROBLEMS AS DESCRIBED PARA 3 REF B.

(E) FRENCH PARAGRAPH 10 DEALING WITH RESPECT FOR INTERNATIONAL OBLIGATIONS IS UNCHANGED AND CONTINUES TO READ AS A DEPARTURE FROM PACTA SUNT SERVANDA PRINCIPLE STRONGLY DEFENDED BY THE US AT THE VIENNA CONFERENCE ON THE LAW OF TREATIES. IN ADDITION, IT OPERATES TO CONFIRM EXISTING INTERNATIONAL OBLIGATIONS SUCH AS THE SOVIET-CZECH TREATY, THEREBY PRESERVING MUCH OF THE BREZHNEV DOCTRINE DESPITE ANTI-BREZHNEV DOCTRINE IMPACT OF PORTIONS OF THE DOCUMENT. PARA F REF B AND PARA 12 REF C SET FORTH DEPARTMENT'S SUGGESTIONS AS TO CHANGES IN WORDING. THESE ALTERNATIVES SHOULD BE ADVANCED FOR CONSIDERATION BY FRENCH.

(F) WE CONTINUE TO OPPOSE CBM-TYPE LANGUAGE IN SECOND SENTENCE OF PARA 2 AS NOTED IN PARA 7 REF C. RUSH

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